

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	
vs.)	Case No. 05-0168-01-CR-W-FJG
Brandon L. Walton,)	
)	
Defendant.)	

ORDER

Pending before the Court is defendant's motion to suppress all physical evidence seized from the jointly occupied motel room of defendant Walton and his female companion and to suppress all statements obtained from defendant subsequent to the search of the room (Doc. #14), filed May 23, 2005, and the government's response thereto (Doc. #18), filed June 8, 2005.

On August 22, 2005, Chief United States Magistrate John T. Maughmer entered a report and recommendation (Doc. #32) which recommended denying the above-mentioned motion. Defendant's objections to Chief Magistrate Maughmer's report and recommendation were filed on August 25, 2005 (Doc. #33) and the government's response to those objections was filed on August 26, 2005 (Doc. #34).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress all physical evidence seized from the jointly occupied motel room of defendant Walton and his female companion and to suppress all statements obtained from defendant subsequent to the search of the room (Doc. #14), filed May 23, 2005, must be denied.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress all physical evidence seized from

the jointly occupied motel room of defendant Walton and his female companion and to suppress all statements obtained from defendant subsequent to the search of the room (Doc. #14), is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: August 30, 2005
Kansas City, Missouri